

STATE OF SOUTH CAROLINA**IN RE:**

Application of CLS Utilities, LLC
For Approval of the Agreement, Bond, Operation,
Monthly Rate and Service Area For the
The Sewage Pump Station In The Harvest Glen
Subdivision In Greenville County, South Carolina

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

COVER SHEET**DOCKET****NUMBER:** 2008 - -

(Please type or print)

Submitted by: Richard L. Whitt**SC Bar Number:** 62895**Address:** 508 Hampton Street, Suite 300**Telephone:** 803-251-7442Columbia, South Carolina 29201**Fax:** 803-252-3679**Other:** _____**Email:** rlwhitt@alrlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ **Emergency Relief demanded in petition** ☐ **Request for item to be placed on Commission's Agenda expeditiously**

☒ **Other:** Routine

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certificatio	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigator	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input checked="" type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input checked="" type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input checked="" type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2008-

IN RE: Application of CLS Utilities, LLC)	
For Approval of the Agreement, Bond, Operation,)	
Monthly Rate and Service Area For the)	APPLICATION
The Sewage Pump Station In The Harvest Glen)	
Subdivision In Greenville County, South Carolina.)	
)	
)	

CLS Utilities, LLC, (“Applicant”), pursuant to Rule, R.103-500 and other applicable Rules and Regulations of the Public Service Commission of South Carolina (hereinafter, the “Commission”), hereby requests that this Commission approve, (i) the Agreement, (ii) the Bond (iii) the operation of the sewage pump station in the Harvest Glen Subdivision in Greenville County, South Carolina, (hereinafter, “Pump Station”) (iv) a monthly rate for the Applicant (iii) and a service area for the Applicant.

In support of its Application, the Applicant would show the following:

1. All communications concerning this Application may be directed to:

Applicant
CLS Utilities, LLC
Attention: Mr. James Caldwell
224 Liberty Street
York, South Carolina, 29745

Attorneys of Record
Richard L. Whitt
Austin & Rogers, P.A.
508 Hampton Street, Suite 300
Columbia, South Carolina 29201
(803) 251-7442

2. The South Carolina Office of Regulatory Staff, ("ORS") is being served with a copy of these pleadings.
3. A Representative of the South Carolina Department of Health and Environmental Control, ("SCDHEC") is also being served with a copy of these pleadings.
4. Applicant is a Limited Liability Company, organized under the laws of the State of South Carolina, with its operations subject to the jurisdiction of this Commission.

Request For Approval of Agreement, Operation, Monthly Rate and Service Area

5. Applicant will serve the Harvest Glen Subdivision Homeowners Association, ("HOA") and Applicant's sole customer will be the HOA.
6. Service will be provided to the HOA at a flat monthly rate of three thousand eight hundred and thirty seven dollars, (\$3,837.00). The proposed rate fairly distributes the costs to the consumers of providing service from the Pump Station and allows Applicant a reasonable profit.
7. A comprehensive Wastewater Rate Study for the Pump Station, dated December, 2007, and revised January, 2008, provides the basis for the Application, Operation, Bond, Agreement, monthly rate and service area for the Pump Station (attached hereto as exhibit "A").
8. Applicant will only be responsible for the operation and maintenance of the Pump Station.
9. Treatment of Sewage will be provided by the Metropolitan Sewer Authority, ("Metropolitan").
10. The rate requested is reasonable, fair, responsible, non-discriminatory, and justified in light of the customers' needs, the Applicant's requirements to meet the customers' needs, and the Applicant's commitment to do so in compliance with regulations of this Commission, SCDHEC, and other regulatory agencies with jurisdiction over the Applicant.
11. Applicant has, or is in the process of entering into a written agreement with the HOA (a copy of the agreement will be filed with this Commission as an after-filed exhibit).

12. Applicant also operates Carolina Lift Stations, LLC in the State of South Carolina and has the expertise and experience to operate the utility.
13. The Applicant will maintain its books according to the NARUC system of accounts for sewer utilities.
14. Applicant has, or is in the process of purchasing an appropriate Performance Bond to comply with Commission Regulations.

CONCLUSION

Based upon the foregoing, it is in the best interests of the customers of the Harvest Glenn Subdivision and in the public interest, that this Commission approve the relief sought in the Application, as set forth in more detail hereinabove.

WHEREFORE, having fully set forth the reasons in its Application, CLS Utilities, LLC respectfully requests that this Commission:

1. inquire into this matter; and
2. if substantial opposition does not develop, hear and decide this matter at an appropriate weekly agenda session; and
3. grant its approval of the relief requested hereinabove and
4. grant such further and other relief as this Commission deems fit and proper.

Respectfully Submitted,

/S/

Richard L. Whitt
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Austin & Rogers, P.A.
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Columbia, South Carolina 29201
(803) 251-7442

Columbia, South Carolina
March 6, 2008